

**CITY OF ASHLAND  
CONDITIONAL USE PERMIT  
APPLICATION INSTRUCTIONS**

Conditional Use Permits

The Ashland Zoning Ordinance has a number of land uses that can be granted only after the Board of Zoning Adjustment issues a Conditional Use Permit. These are uses which would not be appropriate generally, but with proper standards and conditions applied on a case-by-case basis, they may be suitable in specific instances. Article XIII of the Zoning Ordinance details such authorized Conditional Uses and their standards.

- A. A conditional use permit shall not be granted by the Board unless and until a public hearing is held. Each application for a conditional use permit shall be upon forms provided by the Planning Office.
- B. Upon receipt of the application, the Planning Office shall prepare a notice of public hearing to be posted on the property for which the conditional use is sought, duly advertised in a local newspaper, and mailed to all property owners within two hundred (200) feet of the applicant's property.
- C. Either the applicant or a designated agent shall present the proposal and its merits at the public hearing.
- D. A Site Development Plan is required prior to Board action on a Conditional Use Permit application. Such plan shall be approved by the Board as to the general design and the standards listed in the Zoning Ordinance.
- E. After the public hearing where the applicant and supporting and opposing testimonies are heard, the Board of Zoning Adjustment may grant or deny the Conditional Use Permit requested. The Conditional Use Permit, if granted, shall include approval of such plans as may be required. In granting the permit, the Board of Zoning Adjustment shall find each and all of the following:
  - 1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted.
  - 2. That the use meets all the required conditions and standards set forth herein or as determined by the Board.
  - 3. That the location and character of the use, if developed according to the plan as submitted and approved, will be in conformity with the City Comprehensive Plan.
- F. The Board of Zoning Adjustment may approve, modify, or deny any application for a Conditional Use Permit. If it approves such permit, the Board may attach necessary conditions to render their proposed use more compatible with the area in which it is to be

located. Any such conditions shall be recorded in the Board's minutes and on the Conditional Use Permit.

- G. The Board of Zoning Adjustment shall have the power to revoke Conditional Use Permits for noncompliance. Furthermore, the Board shall have a right of action to compel offending structures or uses removed at the cost of the violator.
- H. The Zoning Administrator shall review all Conditional Use Permits, except those for which all conditions have been permanently satisfied, at least once annually in order to ascertain that the landowner is complying with all of the conditions listed on the permit.